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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,977	03/29/2005	Jiang Jon Cheng	CN 020013	1723

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
HERRERA, DIEGO D	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
06/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/526,977	CHENG, JIANG JON	
	Examiner	Art Unit	
	Diego Herrera	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 March 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sartori et al. (EP 1122895 A1), and in view of Yamada et al. (EP 1206055 A2).

Regarding claims 1, and 8-10. Sartori et al. discloses telecommunication system comprising at least a first station and a second station for providing a telecommunication service via at least one communication channel with a time-frame structure with at least one group of timeslots (paragraph [0021], Sartori teaches the assignment of one time slot of the mobile device to uplink and one time slot to downlink), in which group at least two timeslots are flexible timeslots each being (re)allocatable to an uplink or a downlink (paragraph [0015], Sartori teaches the two types of timeslots which are flexible timeslots), wherein in said group at least one timeslot is a fixed uplink timeslot, at least one timeslot is a fixed downlink timeslot (paragraph [0021], Sartori teaches the assignment of one time slot of the mobile device to uplink and one time slot to downlink), however, Sartori does not discloses specifically said at least two flexible timeslots comprise a first number of timeslots having a priority of an uplink kind and a second number of timeslots having a priority of a downlink kind, nevertheless, Yamada et

al. teaches the limitation (paragraph [0023]-[0026], Yamada teaches the priority being assigned in stored in memory). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the specifically said at least two flexible timeslots comprise a first number of timeslots having a priority of an uplink kind and a second number of timeslots having a priority of a downlink kind as taught by Yamada et al. for the purposes of having priority for time slot management.

Consider claim 2.Telecommunication system according to claim 1, the combination discloses wherein said group of timeslots corresponds with a (sub)frame(fig. 2, paragraph [0039]-[0041], Sartori et al. teaches time slots corresponds with a frame of a cell), with said at least one fixed uplink timeslot being one fixed uplink timeslot, with said at least one fixed downlink timeslot being one fixed downlink timeslot (paragraph [0021], Sartori teaches the assignment of one time slot of the mobile device to uplink and one time slot to downlink), and with said at least two flexible timeslots corresponding with all other timeslots in said (sub)frame and being equal to said first number of timeslots and to said second number of timeslots (paragraph [0015], Sartori teaches the two types of timeslots which are flexible timeslots), with one kind of priority increasing and with the other kind of priority decreasing per timeslot (paragraph [0023]-[0026], Yamada teaches the priority being assigned in stored in memory).

Consider claim 3.Telecommunication system according to claim 1, the combination discloses wherein said group of timeslots corresponds with a (sub)frame of a cell (fig. 2, paragraph [0039]-[0041], Sartori et al. teaches time slots corresponds with a frame of a cell), with one timeslot of said first number of timeslots being located at one end of said at least two flexible timeslots and having a maximum priority of an uplink kind and with further timeslots of said first number of timeslots having decreasing priorities of an uplink kind, and with one timeslot of said second number of timeslots being located at the other end of said at least two flexible timeslots and having a maximum priority of a downlink kind and with further timeslots of said second number of timeslots having decreasing priorities of a downlink kind, and with said first number of timeslots and said second number of timeslots being defined by rules which take into account at least one adjacent cell (paragraph [0023]-[0026], Yamada teaches the ability to have one set of timeslots at the end of a frame one for uplink and the other for downlink, the reference also teaches maximum and low priority for uplink and downlink).

Consider claim 4.Telecommunication system according to claim 1, the combination discloses wherein at least said first number of timeslots having a priority of an uplink kind and said second number of timeslots having a priority of a downlink kind are defined by interference detection results (paragraph [0045], Yamada et al. teaches time slot arrangement and assignment is possible for uplink and downlink traffic volumes).

Consider claim 5.Telecommunication system according to claim 1, the combination discloses wherein at least one of said stations comprises a memory for storing priority parameters (paragraph [0036], fig. 5, Yamada et al. teaches database stores priority information, hence, storing priority parameters), with said first number of timeslots being defined by priority parameters of an uplink kind and with said second number of timeslots being defined by priority parameters of a downlink kind (paragraph [0038],[0039], Yamada et al. teaches uplink or downlink properties are given to all the time slots).

Consider claim 6.Telecommunication system according to claim 5, the combination discloses wherein at least one of said stations comprises an allocator for, upon request for uplink/downlink capacity, allocating at least one flexible timeslot to an uplink/downlink (paragraph [0015], Sartori et al. teaches mobile station and base station, and flexible timeslots which can be allocated to an uplink and downlink), in dependence of uplink/downlink priority parameters, with at least one of said stations comprising an interference detector for generating interference detection results (paragraph [0020], measuring relative received signal strength, distance from its respective base station, power emitted, or required bit rate).

Consider claim 7. Telecommunication system according to claim 6, the combination discloses wherein at least one of said stations comprises a

processor for defining said first number of timeslots and said second number of timeslots at the hand of rules which take into account at least one adjacent cell (paragraph [0016], [0035]-[0038], Sartori teaches assigning specific mobile stations to certain time slots; time slots are converted either to uplink or downlink time slots).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Diego Herrera
Patent Examiner

CHARLES N. APPIAH
SUPERVISORY PATENT EXAMINER